

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

MARY MARCHBANKS

PLAINTIFF

v.

CIVIL ACTION NO.: 1:07CV299-SA-SAA

DOLGENCORP, INC.

DEFENDANT

**ORDER ON REQUEST
FOR CERTIFICATE OF APPEALABILITY**

Presently before the Court is Plaintiff's Request for Certificate of Appealability [94]. A certificate of appealability is necessary when a state prisoner is seeking to appeal a district court's denial or dismissal of a writ of habeas corpus. 28 U.S.C. § 2253. Because this action was not a petition for writ of habeas corpus, no certificate of appealability is necessary. Accordingly, Plaintiff's Request for Certificate of Appealability is DENIED as unnecessary.

SO ORDERED, this the 16th day of September 2009.

/s/ Sharion Aycock
UNITED STATES DISTRICT JUDGE